



MAIL STOP PATENT
APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: CASM122095



TRANSMITTAL LETTER

Seattle, Washington 98101

December 11, 2003

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) by Express Mail is the incomplete patent application of Michael PATANE, entitled YEAST TREATMENT.

- _____ 1a. This application is a continuation/divisional/continuation-in-part of prior Application No. _____, filed _____, priority from the filing date of which is hereby claimed under 35 U.S.C. § 120.
- _____ 1b. This application also claims the benefit of Provisional Application No. _____, filed _____, the benefit of which is hereby claimed under 35 U.S.C. § 119.
- _____ 2. A copy of the petition for a number-month extension of time to extend pendency of the prior application to at least the filing date of this application is enclosed.
- X 3. An application consisting of 36 pages of specification, including the claims and the Abstract of the Disclosure, and 0 sheet(s) of drawings is attached.
- _____ 4a. A newly executed Combined Declaration and Power of Attorney is attached.
- _____ 4b. A copy of the Combined Declaration and Power of Attorney filed in the above-noted prior application is attached. [Note: This application is a continuation or divisional, no new matter has been added to this application, and no new inventors have been named.]

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- _____ i. Please delete the following inventors named in the prior application, such deleted persons not being an inventor of the subject matter claimed herein:

- _____ ii. The entire disclosure of the prior application, from which a copy of the Combined Declaration and Power of Attorney is supplied, is considered as being part of the disclosure of this application and is hereby incorporated by reference herein.
- X 4c. A Combined Declaration and Power of Attorney is **not** attached. Please file this application in the name of the inventor listed above.
- _____ 5a. An Assignment of the invention to _____ is enclosed, together with a Recordation Cover Sheet in accordance with 37 C.F.R. § 3.31 and our check including the amount of \$40.00 to cover the recordation fee. Please record this Assignment in accordance with 37 C.F.R. § 3.11.
- _____ 5b. The prior application was assigned to _____, by an Assignment recorded at Reel _____/Frame _____.
- X 6. Priority of Application No. 2002953285, filed in Australia on December 12, 2002, is claimed under 35 U.S.C. § 119. A certified copy of the priority document will be filed at a later date.
- X 7. Small entity status is asserted for this matter.
- _____ 8. A Preliminary Amendment is enclosed. Please enter the Preliminary Amendment prior to calculation of the filing fee.
- X 9. No fee is enclosed.
- _____ 10. Please note the accompanying Request and Certification Under 35 U.S.C. § 122(b)(2)(B)(i). I hereby certify that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. It is requested that the attached application not be published under 35 U.S.C. § 122(b).
- _____ 11. The following additional documents are enclosed: _____.
- X 12. A filing date in accordance with 37 C.F.R. § 1.10 is requested. The Express Mail Certificate appears below.

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Please address all further correspondence to:

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Respectfully submitted,

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Gary S. Kindness
Registration No. 22,178
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EXPRESS MAIL CERTIFICATE

Express Mail No.: EV291184871US
Date of Deposit: December 11, 2003

I hereby certify that this document and the enclosures listed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

T. J. Owen
(Typed or printed name of person mailing paper or fee)

[Signature]
(Signature of person mailing paper or fee)

GSK/PAS:bmc

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